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Attorneys for Defendants

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(Oakland Division)

ELECTRICAL INDUSTRY SERVICE
BUREAU, INC., et al.

Plaintiffs,

v.

J COPELLLO INTERNATIONAL CORP.
d/b/a COPELLO ELECTRIC CO.

Defendant.

Case No. 15-CV-1946-JSW

**STIPULATED REQUEST FOR ORDER
CHANGING TIME AND PROPOSED
ORDER CONTINUING SCHEDULE FOR
TRIAL AND PRETRIAL MATTERS
AS MODIFIED**

Pursuant to Local Rules 6-1 and 6-2, the parties through undersigned counsel hereby stipulate and respectfully request that the Court stay all proceedings for a period of five months so that the parties may continue to engage in the settlement process. The parties declare in support of this request:

WHEREAS, the Court issued a Civil Minute Order (Dckt. No. 32) on January 8, 2016 with the following deadlines:

| | |
|--------------------------------|------------------------------|
| Close of fact discovery | July 31, 2016 |
| Dispositive motions due | September 30, 2016 |
| Opposition due | October 14, 2016 |
| Reply due | October 21, 2016 |
| Hearing on dispositive motions | December 2, 2016 at 9:00 AM |
| Pretrial conference | February 13, 2017 at 2:00 PM |
| Trial | March 6, 2017 at 8:00 AM |

WHEREAS, as stated in the accompanying Declaration of Wan Yan Ling in support of Stipulated Request for Order Changing Time, Plaintiff Trust Funds' audit process entails a preliminary audit report, draft audit report, and a final audit report, with input and review by the administrator, Defendant employer, and trustees;

WHEREAS, a preliminary audit report was provided to Defendant on March 18, 2016;

WHEREAS, the parties engaged unsuccessfully in Court-ordered mediation on March 24, 2016;

WHEREAS, Defendant desires to engage in the audit dispute process, prior to which Defendant believes no meaningful settlement discussions can be had;

WHEREAS, Defendant believes in good faith that absent a significant change in the position of Plaintiffs with respect to the preliminary audit findings, Defendant may in the near future have no alternative but to file for bankruptcy protection, and that it would benefit the parties to mitigate their fees expended in this action until such filing occurs;

WHEREAS, based on the foregoing facts, it would be in the interest of judicial economy to enlarge time as set forth herein;

WHEREAS, per Local Rule 6-2(a), this stipulated request is accompanied by a declaration which sets forth with particularity, the reasons for the enlargement of time;

WHEREAS the parties are hopeful of settling this case;

THEREFORE, pursuant to Local Rules 6-1 and 6-2, the parties through their respective attorneys stipulate as follows:

The parties respectfully request that the Court stay all proceedings for a period of five months to allow the parties time to complete the audit process, continue settlement discussions, determine whether defendant will file for bankruptcy protection, and make such filing. Such a stipulation will have the effect of moving the following deadlines:

| | Current date | Proposed date |
|---------------------------------------|------------------------------|--------------------------|
| Close of fact discovery | July 31, 2016 | December 31, 2016 |
| Dispositive motions due | September 30, 2016 | February 28, 2017 |
| Opposition due | October 14, 2016 | March 14, 2017 |
| Reply due | October 21, 2016 | March 21, 2017 |
| Hearing on dispositive motions | December 2, 2016 at 9:00 AM | May 5, 2017 at 9:00 AM |
| Pretrial conference | February 13, 2017 at 2:00 PM | July 17, 2017 at 2:00 PM |

Jury Selection

March 1, 2017 at 8:00 AM

August 2, 2017 at 8:00 AM

| | | | |
|---|--------------|--------------------------|---------------------------|
| 1 | Trial | March 6, 2017 at 8:00 AM | August 7, 2017 at 8:00 AM |
|---|--------------|--------------------------|---------------------------|

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3 **IT IS SO STIPULATED AND AGREED.**

4 Dated: April 13, 2016

By: /s/ Wan Yan Ling
 WAN YAN LING
 Attorney for Plaintiffs
 Neyhart, Anderson, Flynn & Grosboll

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8 Dated: April 19, 2016

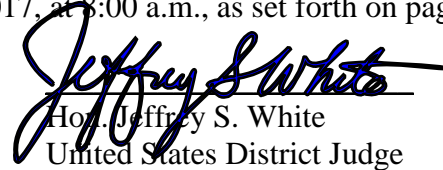
By: /s/ Patricia Walsh
 PATRICIA WALSH
 Attorney for Defendant
 Leonidou & Rosin

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11 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

12 The parties shall take note of the Court's modification of the proposed schedule, which provides that
 13 jury selection shall take place on August 2, 2017, at 8:00 a.m., as set forth on page 3 of this order.

14 Dated: April 21, 2016


 Hon. Jeffrey S. White
 United States District Judge